

# ***Board of County Commissioners***

## ***Division of Planning & Development***

### **Code Compliance Department**

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## **CODE ENFORCEMENT BOARD**

***June 11, 2007***

The regular meeting of the Code Enforcement Board of Sumter County, Florida, was called to order on Monday, June 11, 2007, at 6:00 PM, followed by the Pledge of Allegiance.

The following Board members were present: Chairperson-Horton Barnes, Charles Castle, Drexel Clark, and Terry Pasko. Tommy Messer was not present at the time the meeting was called to order; however, he did arrive later in the meeting.

Board members Cheryl Barnes and Dixie Ruzzo were absent.

Present from Code Compliance were Paul Jochum-Code Compliance Coordinator, Al Folden-Code Compliance Inspector, Janice Love-Code Compliance Inspector, and Alysia Akins-Code Enforcement Board Secretary.

Lee Hawkins, attorney for Sumter County Code Compliance Inspectors, was present.  
Randall Thornton, attorney for the Code Enforcement Board, was absent.

Mr. Clark made a motion to approve the minutes from the May 14, 2007 meeting. Mr. Pasko seconded the motion and the motion carried.

Ms. Love and Mr. Jochum were sworn in.

### **Old Business:**

The following cases have complied:

**CE2006-0535/Bussey**

**CE2006-0758/Leatherman**

The following case has not complied:

**CE2007-0183/Lowers**

The following case has complied; however, there are costs due:

**CE2006-0148/Gunn**

The following case consisted of a rehearing request:

**CE2006-0059/Baughman**

Charles Steven Baughman was present and sworn in. Mr. Baughman testified he has cancer and is in and out of the hospital. Mr. Baughman explained he took down the posts and beams that were on his property. Mr. Baughman expressed his desire to have the costs waived since he ceased all construction prior to the original code board hearing. Mr. Baughman explained he has been unable to obtain building plans for the structure due to involving the mobile home on the property. Mr. Baughman testified he is returning to the hospital tomorrow for additional surgery. Mr. Baughman stated his plans are to clean the property and sell it.

Mr. Barnes explained the Code Enforcement Board does not have the authority to waive ordered costs; however, the Board of County Commissioners (BOCC) does, and recommended Mr. Baughman send the County Administrator a letter requesting that he be placed on the BOCC agenda.

Mr. Jochum testified Mr. Baughman is in compliance with the original order except for the costs due.

**New Business:**

The following cases have complied:

**CE2006-0700/Redding**

**CE2006-0687/Orona**

**CE2007-0002/Beiersdorfer** – This case was brought into compliance on this date, 6/11/07; therefore, an affidavit of compliance has not been issued. Ms. Love testified for the record this case is in compliance.

**Case: CE2006-0757**

**Owner Name: Walter and Bonnie Richardson**

**Location Address: 2704 E. C-466/Oxford**

**Parcel: C13=008/OR-1336, PG-772**

**Code Violations: 6-104(4), 13-E.3.1.2 SHC 307.4, and 6-104(2)**

The Respondents were not present. Ms. Love testified the Notice for Hearing was sent by certified mail, and the property was posted on 6/1/07; however, upon final inspection on 6/11/07, the posting had been removed. Ms. Love testified her initial inspection was on 12/18/06. Ms. Love testified her most recent visit to the property revealed the Respondents are not in compliance. Ms. Love submitted photographs into the record that were taken on 2/13/07 and 6/11/07 reflecting the violations. Ms. Love testified homestead exemption is filed on the property. Ms. Love testified she has not received any contact from the Respondents. Ms. Love testified the pool contained green water and debris was found in the pool area. Ms. Love also testified there were inoperable vehicles, trash, litter, and debris on the property.

Ms. Love recommended the property be brought into compliance within 30 days by removing the trash, litter, debris, and inoperable vehicles, maintaining the pool according to code, and paying staff costs in the amount of \$375.48. If not, a \$25 daily fine be ordered by the Board to begin accruing after 30 days.

Mr. Castle made a motion to order the Respondents to bring the property into compliance within 30 days by removing the trash, litter, debris, and inoperable vehicles, maintaining the pool according to code, and paying staff costs in the amount of \$375.48. If not, a \$25 daily fine shall be assessed if found in non-compliance after the ordered date. Mr. Pasko seconded the motion and the motion carried.

**Case: CE2007-0022**

**Owner Name: Suroojnauth and Ryan Budhram**

**Location Address: 12404 CR 711/Webster**

**Parcel: T16=031/OR – 1580, PG – 525**

**Code Violation: 13-51(A)(2)(A)**

The Respondents were not present. Mr. Jochum testified the Notice for Hearing was sent by certified mail and was received on 3/31/07. Mr. Jochum testified 6/11/07 was his most recent visit to the property, in which the property is not in compliance. Mr. Jochum submitted photographs into the record that were taken on 1/22/07, 2/8/07, and 6/11/07 reflecting the violations. Mr. Jochum testified his initial inspection was on 1/22/07. Mr. Jochum testified he has had contact with Ryan, the Respondents' son, regarding the violations. Mr. Jochum also testified homestead exemption is not filed on the property. Mr. Jochum explained a pole structure has been built on the property without permits/exemptions, and a roof structure has been added to the mobile home without permits. Mr. Jochum testified the animal issues have been resolved.

Mr. Jochum recommended the Respondents be granted 60 days to obtain the required permits/exemptions for the pole barn and roof structure to the mobile home, or remove both structures. Mr. Jochum also recommended costs in the amount of \$285.48 be paid within 60 days. If not, a \$25 daily fine be ordered by the board.

Mr. Clark made a motion to order the Respondents to obtain the required permits/exemptions, or remove, the pole barn and mobile home roof structure addition, and pay staff costs in the amount of \$285.48 within 60 days; failure to bring the property into compliance and pay staff costs within 60 days will result in a \$20 daily fine for each and every day the property remains in violation. Mr. Castle seconded the motion and the motion carried.

Mr. Messer arrived during the above motion; however, he did not participate in the vote.

**Case: CE2007-0117**

**Owner Name: John Sr. and Brenda Curran**

**Location Address: 910 CR 541/Sumterville**

**Parcel: J13=035/OR – 818, PG – 380**

**Code Violations: 13-332(a)(3)(a), 13-365(B)(1), and 13-365**

The Respondents were present and sworn in. Mr. Jochum testified the Notice for Hearing was sent by certified mail and was received on 4/14/07. Mr. Jochum testified 6/11/07 was his most recent visit to the property, in which the property is not in compliance. Mr. Jochum submitted photographs into the record that were taken on 11/27/06 and 1/8/07 (from a previous case), and 6/11/07 reflecting the violations. Mr. Jochum testified his initial inspection was on 3/9/07. Mr. Jochum testified he has been in contact with the Respondents regarding the violations. Mr. Jochum also testified homestead exemption is filed on the property. Mr. Jochum submitted copies of photographs from the Curran's website reflecting the concession work they did. Mr. Jochum testified the complaint filed regarding the garage/workshop on the property being built without permits was unfounded. Mr. Jochum informed the Board that the Currans had applied for a Special Use Permit with the Zoning and Adjustment Board to allow the concession business to remain on the property for storage of their equipment. Mr. Jochum explained he and Aimee Webb, Development Coordinator, had met with the Currans on-site and discussed their concession business operation in detail. Mr. Jochum explained the violations are due to storing more than the allotted amount of vehicles on the property, utilizing the property as a staging area, storing a semi container on their property containing less than 10 acres,

and having commercial deliveries made to the property. Mr. Jochum testified the Currans had complied with Section 13-365 due to removing the fueling facility. Mr. Jochum testified the garage/workshop is used for storage and no cooking takes place inside. Mr. Jochum submitted copies of driver's licenses for the drivers allowed to store their commercial vehicles on the property.

Mr. and Mrs. Curran testified they travel with their concession equipment, which consists of two trailers. Mrs. Curran explained she has a container on the property that she utilizes for her basket work. Mr. and Mrs. Curran testified the fueling facility had been used for their generator. Mr. and Mrs. Curran testified they are currently renting a lot to store their additional concession equipment and are no longer receiving home deliveries from Sysco; however, they continue to bring their concession goods home.

Mr. Jochum recommended the Respondents be ordered to comply by ceasing and desisting all business operations, removing the storage container, and paying staff costs in the amount of \$285.09 within 30 days. If not, a \$25 daily fine shall be imposed.

Mr. Barnes recommended tabling the issue until after the Zoning and Adjustment Board made their decision. Attorney Hawkins recommended giving the Respondents ample time to meet with the Zoning and Adjustment Board and Board of County Commissioners, and make a motion contingent upon their approval.

Mr. Castle made a motion to order the Respondents to bring the property into compliance by ceasing and desisting all business operations, removing the storage container, and paying all staff costs due in the amount of \$285.09 within 60 days; failure to bring the property into compliance and pay staff costs due within 60 days will result in a fine in the amount of \$20 per day for each and every day the property remains in violation. Mr. Pasko seconded the motion and the motion carried.

There being no further business, Mr. Castle made a motion to adjourn. Mr. Clark seconded the motion and the motion carried.

The meeting adjourned at 6:50 PM.

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Chairperson

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Recording Secretary